

REMARKS

Claims 1-29 are pending in the present application.

The Examiner has required election in the present application between:

Group I, claims 1-15, drawn to a process;

Group II, claims 16-19, 20, 28, 29, drawn to a product; and

Group III, claims 2-25, drawn to a food composition.

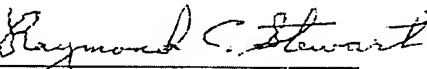
For the purpose of examination of the present application, Applicant elects, with traverse, Group I, Claims 1-15 drawn to a process. The traverse is based upon the fact that the claims are overlapping. For example, Group I (claims 1-15) overlap with the claims of Group III (claims 2-25). In addition, Group II (claims 20, 28 and 29) overlap with Group III (claims 2-25). Accordingly, it is believed that the claims form a single general inventive concept under PCT Rule 13.1 and that the restriction requirement is improper.

Should there be any outstanding matters that need to be resolved in the present application, the Examiner is respectfully requested to contact Raymond C. Stewart, Registration No 21,066 at the telephone number of the undersigned below, to conduct an interview in an effort to expedite prosecution in connection with the present application.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to our Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. § 1.16 or under § 1.17; particularly, extension of time fees.

Dated: March 4, 2009

Respectfully submitted,

By 

Raymond C. Stewart

Registration No.: 21,066

BIRCH, STEWART, KOLASCH & BIRCH, LLP

8110 Gatehouse Road

Suite 100 East

P.O. Box 747

Falls Church, Virginia 22040-0747

(703) 205-8000

Attorney for Applicant